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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,481

10/17/2005

Xingda Tan

034514-010

8324

7590

03/31/2008

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EXAMINER

TALBOT, MICHAEL

ART UNIT

PAPER NUMBER

3722

MAIL DATE

DELIVERY MODE

03/31/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,481	<b>Applicant(s)</b> TAN, XINGDA	
	<b>Examiner</b> MICHAEL W. TALBOT	<b>Art Unit</b> 3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,4,6,8 and 9 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1,2,5 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/10/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: (1) character reference "10-2" shown in Fig. 8, and (2) character reference "200" shown in Fig 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly

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labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

### ***Specification***

3. The abstract of the disclosure is objected to because of "use of legal phraseology", "undue length" and "purported merits". Correction is required. See MPEP § 608.01(b).

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and

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compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

6. Delete the reference to (Fig. 1) at the bottom of the Abstract.

7. The disclosure is objected to because of the following informalities:

Refer to page 7, paragraph [0010], line 3, character reference "drill chuck 1" should be changed so as to read --drill body 1--.

Refer to page 11, paragraph [0015], line 1, add the letter "n" to the word "loose" in the phrase "When expecting to loose the clamped tool 104" so as to read --When expecting to loosen the clamped tool 104--.

Refer to page 13, paragraph [0019], line 2, add the character reference number "6" to the character reference "rear sleeve" so as to read --rear sleeve 6--.

Refer to page 14, paragraph [0019], line 2, add the word "handle" to the character reference "tool 104" so as to read --tool handle 104--.

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Refer to page 14, paragraph [0020], line 10, modify the phrase “of the nut sleeves 2are also” so as to read --of the nut sleeve 2 are also--.

Refer to page 14, paragraph [0021], line 4, add the character reference number “104” to the character reference “tool handle” so as to read --tool handle 104--.

Refer to page 15, paragraph [0022], line 1, add the word “handle 104” to the character reference “tool” so as to read --tool handle 104--.

Refer to page 15, paragraph [0022], line 4, add the word “handle 104” to the character reference “tool” so as to read --tool handle 104--.

Appropriate correction is required.

### ***Claim Objections***

8. Claims 1,2,5 and 7 are objected to because of the following informalities:

Claim 1 recites the limitation “the nut thread” in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation “the thread” in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation “the elastic impact members” in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation “the rear sides” in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation “the elastic impact member” in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation “the elastic impact member” in lines 1 through 2. There is insufficient antecedent basis for this limitation in the claim.

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Claim 7 recites the limitation “the direction” in line 2. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

***Allowable Subject Matter***

9. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-9 are allowed.

Claim 1 is the sole independent claim.

10. The prior art of record fails to anticipate or make obvious a power drill chuck having (1) “the rear sleeve is provided with piecewise annular holes on its rear end surface and a plurality of keys on its inner surface”, (2) “a positioning sleeve is fixedly connected to the rear portion of the drill body”, and (3) “a plurality of elastic impact members are mounted between the nut sleeve and the rear sleeve” and “being provided with a plurality of elastic deformation portions and a plurality of projecting keys”, solely or in combination, with a power drill chuck having a drill body, a nut, jaws, a front sleeve, a rear sleeve, a nut sleeve and a rolling body.

Yang et al. (US 6,848,691) is the closest art of record.

Yang et al. '691 shows in Figures 1-1B, 2-2B and 4-8 a power drill chuck comprising a drill body (1), a nut (2), jaws (3), a front sleeve (5), a rear sleeve (4), a nut sleeve (7) and a rolling body (9), wherein the three jaws are mounted respectively in three inclined holes which are trisection of the drill body. Yang et al. '691 further shows a nut thread (2-1) constitutes a thread drive together with a thread (33) of the jaws, the front sleeve is fixedly connected to the drill body, the nut sleeve is fixedly connected to the nut and extends backwards with a rear end of which a plurality of projecting keys (7-1, 7-2, 7-4) are provided. Yang et al. '691 further shows the rear sleeve being mounted around the rear portion of the nut sleeve and may rotate relative to the nut sleeve and the drill body.

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Yang et al. '691 lacks a power drill chuck having (1) "the rear sleeve is provided with piecewise annular holes on its rear end surface and a plurality of keys on its inner surface", (2) "a positioning sleeve is fixedly connected to the rear portion of the drill body", and (3) "a plurality of elastic impact members are mounted between the nut sleeve and the rear sleeve" and "being provided with a plurality of elastic deformation portions and a plurality of projecting keys".

Although it is well known to have a power drill chuck with "a rear sleeve", "a positioning sleeve" and "a plurality of elastic impact members", there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings Yang et al. '691, noting that in Yang et al. '691, the rear sleeve is a solid piece without piecewise annular holes on its rear end and without a plurality of keys on its inner surface, no positioning sleeve is present at all, and no plurality of elastic members are present at all, let alone mounted between the nut sleeve and the rear sleeve. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 1.

11. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

### **Conclusion**

12. This application is in condition for allowance except for the following formal matters described above:

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.



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13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

14. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mrs. Monica S. Carter, may be reached at 571-272-4475.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filling papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. W. T./  
Examiner, Art Unit 3722  
21 March 2008

/Monica S. Carter/  
Supervisory Patent Examiner, Art Unit 3722